IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5160 of 2007()

PETITIONER/1ST ACCUSED:

ABDUL JALAL, S/O. ABDUL KHADER,
ANJILIMOOTTIL HOUSE, EDATHALA KARA, ALUVA,
ERNAKULAM DISTRICT.

BY ADV. SRI.K.M.JAMALUDHEEN
SMT.LATHA PRABHAKARAN

RESPONDENTS: COMPLAINANT-STATE:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5160 of 2007

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Dated this the 22nd day of August, 2007

ORDER

Application for anticipatory bail. The petitioner is the first accused. He faces allegations for the offences punishable under Sec.420 IPC. The learned counsel for the petitioner submits that the allegations are totally unjustified. Essentiantly and basically the dispute is a civil one. Only to vex and harass the petitioner, false allegations have been raised against him. It is prayed that subject to appropriate conditions, the petitioner may be granted anticipatory bail.

2. The learned Public Prosecutor on instructions submits that the Investigator is also satisfied that the there is merit in the contention that the dispute is essentially only a civil one. Final decision has not been taken at the moment. There is no intention to arrest the petitioner, submits the learned Public Prosecutor.

3. I am in these circumstances satisfied that appropriate directions under Sec.438 Cr.P.C. can be issued in favour of the petitioner. Accordingly this petition is allowed.

4. It is directed that, if the petitioner were arrested as accused in Crime No.1220/2007 of Aluva Police Station, he shall be released by the Investigating Officer on regular bail on condition that he executes a bond for Rs.25,000/-(Rupees twenty five thousand only) without any sureties.

(R.BASANT, JUDGE)

sj